

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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**Gina Barbara, Individually and on
Behalf of All Others Similarly Situated,**

Plaintiff,

**INITIAL CONFERENCE
ORDER**

-against-

2:24-cv-03775 (NJC) (JMW)

Ivyrehab Peak Performance, LLC,

Defendant.

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WICKS, Magistrate Judge:

Initial Conference Date: August 6, 2024, at 9:30 AM via the Court's Video Zoom. The Court will email the Zoom invitation closer to the conference date. Parties should confer prior to the conference and discuss the proposed discovery plan worksheet.

The above-captioned case has been referred to United States Magistrate Judge James M. Wicks for purposes of scheduling discovery, resolution of discovery disputes, settlement conferences and any other purposes set forth at 28 U.S.C. § 636(b)(1)(A). Lead counsel and/or pro se parties must be present for an initial conference at the date and time indicated above. Counsel and/or pro se parties are expected to be familiar with the Federal Rules of Civil Procedure concerning discovery, *see generally* Fed. R. Civ. P. Rules 16 & 26-37, and the Individual Rules of the undersigned, which are attached to this Order.

Prior to this conference, the parties, with limited exceptions, must hold a discovery planning conference pursuant to Fed. R. Civ. P. Rule 26(f), must provide automatic disclosure pursuant to Rule 26(a)(1) unless this proceeding is exempted from such disclosure pursuant to Rule 26(a)(1)(E), and must file a proposed discovery plan consistent with the factors set forth in Rule 26(f)(1)-(4). Proposed Discovery Worksheet attached to this Order.

The proposed discovery plan, which must be electronically filed under "Other Documents" as a "Proposed Scheduling Order" **no later than July 30, 2024**, to the conference, should reflect the general rule that discovery is to be completed within six to nine months of the date of the initial conference, and should include any agreements the parties have reached regarding discovery, including electronic discovery, as appropriate. It should also include proposed deadlines for the service of and response to written discovery, completion of depositions, motions to amend pleadings including joinder of additional parties, all expert discovery (including identification of experts and rebuttal experts and disclosure of expert reports), completion of all discovery, filing of dispositive motions, and a pre-trial order/trial-ready date.

Dated: Central Islip, New York
July 6, 2024

SO ORDERED:

/s/ James M. Wicks
JAMES M. WICKS
United States Magistrate Judge